

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



R01147

StID 2978

June 30, 1998

Mr. Crandal Mackey
Call Mac Transportation
P.O.Box 50067
Palo Alto, CA 94303

ENVIRONMENTAL HEALTH SERVICES

1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577
(510) 567-6700
(510) 337-9335 (FAX)

FINAL NOTICE OF VIOLATION

Dear Mr. Mackey:

On May 14, 1997, the Alameda County Department of Environmental Health, Hazardous Materials Division, sent you a Notice of Violation requesting that you implement the approved work plan to excavate diesel-impacted soil beneath the former fuel dispenser at **6207 Sierra Court, Dublin**. As of the date of this letter, however, we have not received any communication from you on this matter. Therefore, this letter constitutes a **Final Notice** that you are in violation of specific laws and that the extent of soil contamination must be delineated.

According to Section 25298 of the California Health and Safety Code, underground storage tank closure is incomplete until the responsible party characterizes and remediates the contamination resulting from product discharge. Therefore, you, as the responsible party, are in violation of this section of the Code, for which Section 25299 specifies civil penalties of up to \$5,000, for each day of violation, upon conviction. Also, failure to furnish technical reports regarding documented or potential groundwater contamination violates Section 13267(b) of the California Water Code. The Regional Water Quality Control Board (RWQCB) can impose civil penalties of up to \$1,000 per day that such a violation continues.

You are required to submit a technical report documenting field work and soil sampling results to this office **within 30 days** from the date of this letter. **Failure to respond will result in referral of this case to the RWQCB or Alameda County District Attorney to consider for enforcement action. Modification of required tasks or extensions of stated deadlines must be confirmed in writing by either this agency or the RWQCB.**

If you have any questions, I can be reached at (510) 567-6762.

eva chu
Hazardous Materials Specialist

c: Danielle Stefani, Livermore-Pleasanton Fire Dept
Robert Chambers, Alameda County District Attorney's Office

callmac5

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD

SAN FRANCISCO BAY REGION

2101 WEBSTER STREET, SUITE 500

OAKLAND, CA 94612

(510) 286-1255



STID 3728

May 24, 1994

COMM
MAY 16 1994

Mr. E. Greg Kent
California Custom Carpets
6815 Dublin Blvd
Dublin, CA 94568

RE: Legal Request for Submittal of a Technical Report Resulting from the Alameda County Department of Environmental Health's Enforcement Panel Meeting of April 20, 1994.

Dear Mr. Kent:

It has been brought to my attention by Regional Board staff that a condition of soil and ground water pollution exists on your property at 6207 Sierra Ct, Dublin, CA from an underground storage tank release. The Alameda County Department of Environmental Health (ACHD) staff have requested technical reports from you to fulfill your obligations per California Code of Regulations, Title 23, Waters, Chapter 16, Underground Storage Tank Regulations, Article 11, Corrective Action Requirements. It is my understanding that ACHD staff were unsuccessful in eliciting your co-operation in resolving these issues through normal correspondence.

A Pre-Enforcement Review Panel was held at the ACHD Offices on April 20, 1994, attended by Mr. Sumadhu Arigala, of my staff. Pursuant to the Regional Board's authority under Section 13267(b) of the California Water Code, you are hereby required to submit a technical report to address soil and ground water pollution within 30 days of the date of this letter. This technical report should specifically address the following numbered items:

- 1) A proposal to define the lateral and vertical extent of pollution in soil and ground water; and
- 2) The installation of one groundwater monitoring well in the verified downgradient direction of the former tank pit.

All proposed work should adhere to the requirements articulated in The Tri-Regional Board Staff Recommendations for the Preliminary Evaluation and Investigation of Underground Storage Tank Sites - 8/10/90 and Article 11 of Title 23, Waters, California Code of Regulations.

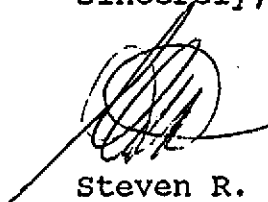
I am hereby transmitting this request for a technical report to ACHD for service and continued case handling. You should be aware that failure on your part to submit the requested technical report,

or a submittal received after the date specified in this request may result in fines up to \$1,000 per day of delinquency. Your response to this technical report request should be sent to Ms. Eva Chu, at ACHD. Please inform Ms. Chu at least three working days in advance of all field activities.

Please be advised that this is a formal request for technical reports pursuant to California Water Code Section 13267(b). Any extensions of the stated deadlines, or modifications of the required tasks, must be confirmed in writing by either this agency or the Alameda County Department of Environmental Health, Hazardous Materials Division.

If you have any questions regarding the contents of this letter, please contact Ms. Eva Chu, of ACHD, at (510) 271-4530.

Sincerely,

A handwritten signature in black ink, appearing to read "S. Ritchie", is written over a circular stamp or mark.

Steven R. Ritchie
Executive Officer

cc: Gil Jensen, Alameda County District Attorney's Office,
Consumer & Environmental Protection Division.
Eva Chu, Hazardous Materials Specialist, ACHD.

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD

SAN FRANCISCO BAY REGION

2101 WEBSTER STREET, SUITE 500

OAKLAND, CA 94612

(510) 286-1255



Roll 47

STID 3728

May 24, 1994

Mr. E. Greg Kent
California Custom Carpets
6815 Dublin Blvd
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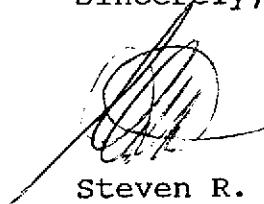
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Sincerely,



Steven R. Ritchie
Executive Officer

cc: Gil Jensen, Alameda County District Attorney's Office,
Consumer & Environmental Protection Division.
Eva Chu, Hazardous Materials Specialist, ACHD.

Alameda County Health Care Services Agency, Department of
Environmental Health, Hazardous Materials Division

In Re The Property Known As :

6207 Sierra Ct
Dublin, CA 94568

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)
)
Proof of Service of
Notice of
Pre-Enforcement
Review Panel

I, Eva Chu , do hereby certify

that I served Mr. E. Greg Kent

with a copy of the attached Notice of Pre-Enforcement Review

Panel on May 9, 1994 by certified

mailer # P 029 244 576

Dated: May 9, 1994


(signature)

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY

DAVID J. KEARS, Agency Director



Roll 47

RAFAT A. SHAHID, ASST. AGENCY DIRECTOR

StID 3728

February 4, 1993

E. G. Kent
P.O.Box 236
Alamo, CA 94507

DEPARTMENT OF ENVIRONMENTAL HEALTH
State Water Resources Control Board
Division of Clean Water Programs
UST Local Oversight Program
80 Swan Way, Rm 200
Oakland, CA 94621
(510) 271-4530

**Subject: Additional Investigation Required at 6207 Sierra Ct.,
Dublin 94568**

Dear Mr. Kent:

I have completed review of the data recently received from you and from Certified Environmental Consulting, Inc. (CEC) on work performed at the above referenced site. The following is a summary of the investigation to date. Field work performed did not always adhere to the Tri-Regional Board Staff Recommendations for Preliminary Evaluation and Investigation of Underground Tank Sites. Its deficiencies are noted in italics.

Feb '91 One underground storage tank (UST) was removed. Soil samples taken within the first two feet of native soil beneath the tank revealed 210 and 450 parts per million (ppm) total petroleum hydrocarbons as gasoline and diesel (TPH-G and TPH-D), respectively. The backfill soil exhibited 170 ppm TPH-G and 390 ppm TPH-D.

The UST pit was overexcavated to three times its original size and stopped at your request (per Mr. Greg Kent at November 24, 1992 meeting). *No confirmatory samples were taken at the side walls or at the base of the pit to confirm the extent or limit of soil contamination.*

Approximately 148 cubic yards of stockpiled soil was left onsite for aeration. Aeration was performed without a permit from the Bay Area Air Quality Management District. Subsequently, the stockpiled soil was used to backfill the UST pit.

Jul '91 One soil boring, B-2, was advanced just outside of the southwest corner of the UST pit. A groundwater grab sample was collected and analyzed for TPH-G, benzene, ethylbenzene, toluene, and xylene (BTEX). The sample exhibited 5.3 ppm TPH-G and 4.9 ppb (parts per billion) benzene. *Soil samples were not collected every five feet nor at the capillary*

E. Greg Kent
re: 6207 Sierra Ct., Dublin
February 4, 1993

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fringe. The groundwater sample was not analyzed for TPH-D, a constituent found in the initial soil samples taken when the UST was removed.

A three into one composite sample was collected from the stockpiled soil. The soil sample did not contain detectable amounts of TPH-G or BTEX. This sample was not analyzed for TPH-D either. The stockpiled soil was not characterized properly. To reuse soil as backfill material, discreet samples should be collected for every 20 cubic yards.

Nov '91 Two other soil borings were advanced, B-3 and B-4 (9' south and 9' east of pit, respectively). Ground water grab samples taken did not detect TPH-G or BTEX, except for water from B-3, which detected 2.9 ppb xylene. Soil samples were not collected every five feet nor at the capillary fringe. The ground water sample was not analyzed for TPH-D, a constituent found in the initial soil samples taken when the UST was removed.

At this time, further investigation is required to determine if the ground water has been impacted by the unauthorized release of fuel products at the site.

In order to proceed with this site investigation, you should obtain the professional services of a reputable environmental consultant. Your responsibility is to have the consultant submit for review a proposal outlining planned activities for the installation of one downgradient ground water monitoring well. Once the work plan is approved, field work should commence within 60 days. A report must be submitted within 45 days after the completion of this phase of work at the site. Subsequent reports are to be submitted quarterly until this site qualifies for RWQCB "sign off." All reports and proposals must be submitted under seal of a California Registered Geologist, Certified Engineering Geologist, or Registered Civil Engineer.

An Underground Storage Tank Unauthorized Release/Contamination Site Report form was sent to you several weeks ago, and it has not been completed and returned to this office. Please complete and return the referenced form to this office **within 10 days of the date of this letter.**

E. Greg Kent
re: 6207 Sierra Ct., Dublin
February 4, 1993

Page 3

If you have any questions or comments about the content of this letter, please contact me at (510) 271-4530.

Sincerely,



Eva Chu
Hazardous Materials Specialist

cc: Rich Hiett, RWQCB
Mark Thomson, Alameda County District Attorney's Office
Edgar Howell/files

gkent3

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



R01147

RAFAT A. SHAHID, Assistant Agency Director

StId 3728

June 11, 1992

DEPARTMENT OF ENVIRONMENTAL HEALTH
Hazardous Materials Division
80 Swan Way, Rm. 200
Oakland, CA 94621
(510) 271-4320

E. G. Kent
P.O. Box 236
Alamo, CA 94507

SECOND NOTICE OF VIOLATION

Dear Mr. Kent:

On April 30, 1992, the Alameda County Department of Environmental Health, Hazardous Materials Division, sent you a letter requesting technical reports detailing the work performed to date in the investigation to determine the extent of soil and water contamination onsite due to the unauthorized release of fuel products at 6207 Sierra Court, Dublin. As of the date of this letter, however, we have not received any communication from you on this matter. Therefore, this letter constitutes a Second Notice that you are in violation of specific laws and that the technical report is due.

According to Section 25298 of the California Health and Safety Code, underground storage tank closure is incomplete until the responsible party characterizes and remediates the contamination resulting from product discharge. Therefore, you, as the responsible party are in violation of this section of the Code, for which Section 25299 specifies civil penalties of up to \$5,000, for each day of violation. Also, failure to furnish technical reports regarding documented or potential groundwater contamination violates Section 13267(b) of the California Water Code. The Regional Water Quality Control Board (RWQCB) can impose civil penalties of up to \$1,000 per day that such a violation continues.

You are required to submit the technical reports for the site to this office within 15 days from the date of this letter. Failure to respond will result in referral of this case to the RWQCB or Alameda County District Attorney to consider for enforcement action. Modification of required tasks or extensions of stated deadlines must be confirmed in writing by either this agency or the RWQCB.

If you have any questions regarding this matter, do not hesitate to contact Ms. Eva Chu at 271-4530.

Sincerely,



Scott O. Seery, CHMM
Senior Hazardous Materials Specialist

cc: Eddy So, RWQCB
Gil Jensen, Alameda County District Attorney's Office
Tom Hathcox, Dougherty Regional Fire Authority
Howard Hatayama, DTSC
file

GKent2

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



R01147

RAFAT A. SHAHID, Assistant Agency Director

StID #3728

April 30, 1992

DEPARTMENT OF ENVIRONMENTAL HEALTH
Hazardous Materials Division
80 Swan Way, Rm. 200
Oakland, CA 94621
(510) 271-4320

E. G. Kent
P.O. Box 236
Alamo, CA 94507

**Subject: Site Remediation/Workplan for 6207 Sierra Ct., Dublin,
94568**

Dear Mr. Kent:

This office has reviewed the case file on the above referenced site. In your telephone conversation with Eva Chu on March 26, 1992, you stated that overexcavation at the site has occurred and that stockpiled soils were aerated and subsequently hauled offsite for disposal. Also, you further indicated that two soil borings were advanced at the site and soil as well as water samples were collected. This office does not have the workplan which would have detailed the above work, nor have we received a report documenting the results from any soil and water analyses performed.

Please submit the following items to this office within 15 days from the date of this letter, or by May 17, 1992:

1. A report detailing work performed to date in the investigation to determine the extent of soil and water contamination onsite due to the unauthorized release of fuel products, as discovered during the underground storage tank removal on Feb 5, 1991. Your report must be accurate and complete, and provide the technical information summarized in the attached San Francisco RWQCB's August 20, 1991 Appendix A.
2. Any and all laboratory results of analyses done on soil and/or water samples collected at the from site. Include copies of chain-of-custody forms which accompanied samples during transport to the state-certified laboratory performing the analyses.
3. Soil boring logs.
4. Manifest or bills of lading (as appropriate) for the soil which was hauled offsite for disposal.

With the information presently on file, we cannot say that you have either adequately determined the lateral and vertical extent and severity of soil and groundwater contamination which may have resulted from the release at this site, or if the site has been adequately or appropriately remediated. The above documents when submitted will determine the next appropriate step toward case closure.

Please be advised that this is a request for technical reports pursuant to California Water Code Section 13267(b). Failure to respond or a late response may result in referral of this case to the RWQCB, possibly subjecting responsible parties to civil penalties up to \$1,000 per day upon conviction. Modification of required tasks or extensions of stated deadlines must be confirmed in writing by either this agency or the RWQCB.

If you have any questions regarding this matter, do not hesitate to contact Eva Chu at the above number.

Sincerely,



Scott O. Seery, CHHM
Senior Hazardous Materials Specialist

cc: Lester Feldman, RWQCB
Gil Jensen, Alameda County District Attorney's Office
Tom Hathcox, Dougherty Regional Fire Authority
Howard Hatayama, DTSC
file

GKent

Alameda County Health Care Services Agency, Department of
Environmental Health, Hazardous Materials Division

In Re The Property Known As :

6207 Sierra Court
Dublin, CA 94568

Notice of Official Action
By the San Francisco Bay
Regional Water Quality
Control Board

Dear Mr. Kent:

The attached Official Notice of Request for Technical Reports pursuant to Water Code Section 13267(b) has been forwarded to this office for legal service, and oversight. As the Agency responsible for enforcing the terms of this Official Action, all communication should continue to be directed to this office. Please make arrangements to comply by calling me at (510) 271-4530 to coordinate all future activities.

Failure to comply could result in liability for civil or administrative penalties of up to \$1000 per day of delinquency.

I Eva Chu, do hereby certify
that I served Mr. E. Greg Kent with a copy of the
attached Notice of Official Action by the Regional Board by
certified mailer # P 386 338 390.

Dated: 6/23/94


(signature)

cc: Gil Jensen, Alameda County District Attorney's Office
files (gkent7)